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A

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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee
(A/48/L.34 and Add.1 and A/48/L.46 and Add.)]

48/59. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991 and 47/63 B of 11 December 1992, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 25 October 1993, 1/

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

79th plenary meeting
14 December 1993

B

Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 25 October 1993, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolution 3314 (XXIX) of 14 December 1974, in the annex to which it defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

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1/ A/48/522.

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Noting that Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out Security Council resolution 497 (1981),

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Taking note with satisfaction of the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, but regretting that a just and comprehensive peace has not yet been achieved after two years of negotiation in Washington, D.C.,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is illegal and therefore null and void and has no validity whatsoever;

3. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever;

4. Declares further all Israeli policies and practices of, or aimed at, annexation of the occupied Arab territories since 1967, including the occupied Syrian Golan, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decisions relating to the occupied Syrian Golan are illegal and invalid and shall not be recognized;

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

2/ United Nations, Treaty Series, vol. 75, No. 973.

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

7. Determines once more that the continued occupation of the Syrian Golan since 1967 and its de facto annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to peace and security in the region;

8. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan, and its decision of 11 November 1991, which resulted in the effective annexation of that territory;

9. Demands once more that Israel withdraw from the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

10. Calls upon the international community to urge Israel to withdraw from the occupied Syrian Golan and other occupied Arab territories for the establishment of a just, comprehensive and lasting peace in the region;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

79th plenary meeting
14 December 1993